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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,199	08/29/2001	Mark S. Anvick	Y01-040	6969

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EXAMINER
FLANDRO, RYAN M

ART UNIT	PAPER NUMBER
3679	10

DATE MAILED: 03/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/942,199	ANVICK, MARK S.	
	Examiner	Art Unit	
	Ryan M Flandro	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5 February 2003 has been entered.

Claim Rejections - 35 USC § 103

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grisley (US 5,114,265), as applied in a previous Office action (paper no. 2), in view of Pontikas (US 4,809,755).

a. Claim 1. Grisley shows, in figures 4 and 5, a first member **13** having a predetermined shape, first and second opposed surfaces, and a first predetermined thickness. Grisley further shows a cavity **24** formed in the first member **13** that has a predetermined inner partially curved contour, that is exposed at the first surface of the first member **13** and along a portion of an edge of the first member **13**, and that has a depth that extends a predetermined distance below the first surface, and wherein the depth of the cavity **24** is a predetermined portion of the thickness of the first member **13** (see figure 8; column 4 lines 28-34). Grisley further shows a second member **12** having a predetermined shape, first and second opposed surfaces, and a second predetermined thickness, and having a tab **22** with an outer partially curved contour that substantially

matches the inner contour of the cavity **24** in the first member **13** so that the tab **22** fits within the cavity **24** (see figures 4 and 5; column 4 lines 35-38), and [said tab **24** having a thickness] that substantially matches the depth of the cavity **24** formed in the first member **13**.

i. Grisley lacks disclosure of the first and second members, when joined, being disposed at a predetermined noncollinear angle with respect to each other.

ii. Pontikas, however, teaches first **114** and second **116** members, when joined, being disposed at a predetermined noncollinear angle with respect to each other in order to provide an angled joint (see figure 20; column 6 lines 61-68).

iii. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made modify the joint of Grisley by including first and second members joined at a predetermined noncollinear angle in order to provide an angled joint as taught by Pontikas.

b. Claim 6. Grisley shows, in figures 4 and 5, a first member **13** having a predetermined shape, first and second opposed surfaces, and a first predetermined thickness that comprises a cavity **24** having a predetermined inner contour, that is exposed at the first surface, that is exposed along a portion of an edge of the first member **13**, and that has a depth that extends a predetermined distance below the first surface (see figures 4 and 5). Grisley further shows a second member **12** having a predetermined shape, first and second opposed surfaces, and a second predetermined thickness, that comprises a tab **22** with an outer contour that substantially matches the inner contour of

the cavity **24** and that fits within the cavity **24** (see figures 4 and 5; column 4 lines 35-38).

i. Grisley lacks disclosure of the first and second members, when joined, being disposed at a predetermined noncollinear angle with respect to each other.

ii. Pontikas, however, teaches first **114** and second **116** members, when joined, being disposed at a predetermined noncollinear angle with respect to each other in order to provide an angled joint (see figure 20; column 6 lines 61-68).

iii. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made modify the joint of Grisley by including first and second members joined at a predetermined noncollinear angle in order to provide an angled joint as taught by Pontikas.

c. Claim 12. Grisley shows, in figures 4 and 5, a first member **13** having a predetermined shape, first and second opposed surfaces, and a first predetermined thickness that comprises a cavity **24** having a predetermined inner partially curved contour, that is exposed at the first surface, that is exposed along a portion of an edge of the first member **13**, and that has a depth that extends a predetermined distance below the first surface (see figures 4 and 5). Grisley further shows a second member **12** having a predetermined shape, first and second opposed surfaces, and a second predetermined thickness, that comprises a tab **22** with an outer partially curved contour that substantially matches the inner partially curved contour of the cavity **24** and that fits within the cavity **24** (see figures 4 and 5; column 4 lines 35-38).

i. Grisley lacks disclosure of the first and second members, when joined, being disposed at a predetermined noncollinear angle with respect to each other.

ii. Pontikas, however, teaches first **114** and second **116** members, when joined, being disposed at a predetermined noncollinear angle with respect to each other in order to provide an angled joint (see figure 20; column 6 lines 61-68).

iii. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made modify the joint of Grisley by including first and second members joined at a predetermined noncollinear angle in order to provide an angled joint as taught by Pontikas.

d. Claims 2, 8, and 14. Grisley further shows that the thicknesses of the first and second members **13, 12** (respectively) are substantially the same (see figures 4 and 5).

e. Claims 7 and 13. Grisley further shows that the depth of the cavity **24** and the thickness of the tab **22** are substantially the same (see figures 4 and 5).

f. Claims 3 and 9. Grisley further shows the inner contour of the cavity **24** and the outer contour of the tab **22** are sized to allow a glue to be disposed therebetween.

g. Claims 4 and 16. Grisley also discloses that the inner partially curved contour of the cavity **24** and the outer partially curved contour of the tab **22** have the shape of a piece of a puzzle (see figures 4 and 5; column 3 lines 63-64).

h. Claim 10. Grisley also discloses that the inner contour of the cavity **24** and the outer contour of the tab **22** have the shape of a piece of a puzzle (see figures 4 and 5; column 3 lines 63-64).

i. Claims 5 and 17. Grisley also shows that the inner partially curved contour of the cavity **24** and the outer partially curved contour of the tab **22** have the shape of a molar tooth (see figures 4 and 5).

j. Claim 11. Grisley also shows that the inner contour of the cavity **24** and the outer contour of the tab **22** have the shape of a molar tooth (see figures 4 and 5).

Response to Arguments

3. Applicant's arguments, see paper no. 9, page 3, paragraphs 4-6, filed 05 February 2003, with respect to the rejection(s)of claim(s) 1, 6, and 12 under 35 U.S.C. §102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Pontikas, as set forth above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to puzzle joint systems:

U.S. Patent 4,099,887 to Mackenroth

U.S. Patent 3,825,360 to Galich

U.S. Patent 3,000,658 to Sprouse

German Patent DE 43 33 089 A1 to Eberspacher (***see especially*** **FIGURE 5**)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan M Flandro whose telephone number is (703) 305-6952. The examiner can normally be reached on 8:30am - 5:30pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on (703) 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Ryan M. Flandro
March 4, 2003

Lynne H. Browne
Supervisory Patent Examiner
Technology Center 3670